## IN THE DRAWINGS

Amendment to the Drawings:

The attached replacement drawing sheets includes changes to Figures 2 and 6. Specifically, the reference number "104" in Figure 2 previously generally identifying "Application & Test Code" is changed to 102 as suggested in the outstanding Office Action. Furthermore, Figure 6 amended to remove a line extending from the left side of block 606 to the arrow extending down from block 602 and text "Flow of control
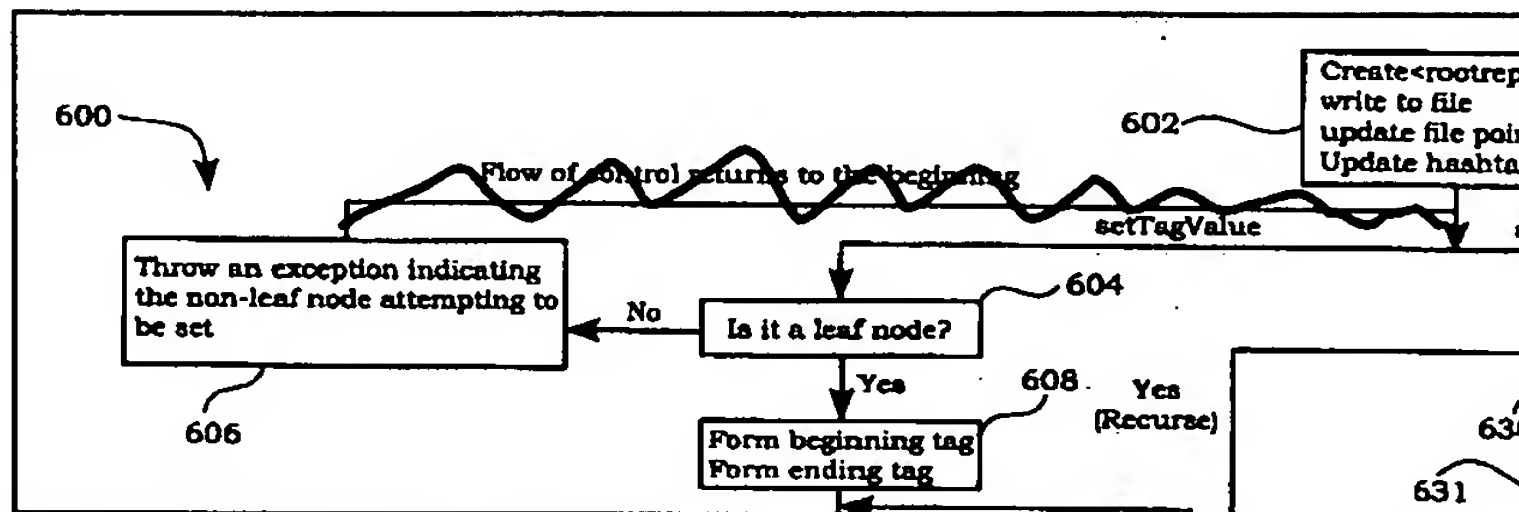
Portion of Fig. 6 showing changes.

returns to the beginning" associated with the line. Support for this change is provided in the specification, page 16, lines 20-21.

REMARKS

This Amendment is submitted in response to the Office Action of September 16, 2005 (hereinafter "the Office Action"). Upon entry of this Amendment, claims 1-20 remain pending.

All references to the claims, except as noted, will be made with reference to the claims as filed. All references to "the Office Action," except as noted, refer to the most recent Office Action dated September 16, 2005. Line numbers, except as noted, will be referenced by counting every printed line, except the page header, but including section headings. If there is any confusion or questions regarding any aspect of this Amendment, the Examiner is invited to contact the undersigned.

Amendment

Figures 1 and 6 are amended to correct minor inconsistencies with the written description. Support for the change to Figure 6 is provided on page 16, lines 20-21. The Specification is also amended to correct various informalities noted. No new matter has been entered by this Amendment.

Drawings

The drawings are under objection because of informalities related to reference numbers 102 and 104 in Figures 1 and 2. This error is corrected by this Amendment. Applicants therefore respectfully request reconsideration of this objection.

Specification

The specification is under objection due to an inconsistency of the reference numbers. This inconsistency is corrected by this Amendment. Applicants therefore respectfully request reconsideration of this objection.

Claim Rejections

Claims 1-5, 8-12, and 15-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,781,609 issued to Barker et al. (hereinafter, "Barker"). Claims 6, 7, 13, 14, and 20 stand rejected under 35 U.S.C. § 103(a) for being obvious in view of Barker plus U.S. Patent Application Publication 2002/0049760 filed by Scott et al. (hereinafter,

"Scott"). Applicants respectfully traverse because the references fail to show, teach or suggest each and ever element set forth in the claims.

For anticipation under 35 U.S.C. § 102(b), each and every limitation set forth in the claim must be present in a single prior art reference (MPEP 2131). For obviousness under 35 U.S.C. § 103(a), each and every limitation must be taught or suggested by the prior art reference, or references when combined or modified (MPEP 2143). It should therefore be noted that Applicant need only point out a single limitation in each claim that is not disclosed, taught, or suggested by any reference identified in the Office Action to overcome the prior art-based rejections. The following discussion therefore should not be construed as an exhaustive listing of every distinguishing feature set forth in the claims.

1. The references do not show "inserting the first string into a test results file storing a second string..."

Claim 1 sets forth, "inserting the first string into a test results file storing a second string . . . wherein the first string is inserted between the second beginning tag and a second ending tag." Barker shows in Figure 5B a snippet of an XML file describing a user interface. The Office Action appears to suggest that since the XML file shown by Barker includes a pair of tags enclosed by another pair of tags, that the operation set forth in the claim is met. Applicants respectfully disagree.

The present invention is related to a real time reporting mechanism that provides continuous updates to an XML document containing reporting data (page 8, lines 2-6). As new data is generated, it is added to the XML document while maintaining the file in conformity with XML standards and also with the predetermined document type definition (DTD). One means for accomplishing this feat is to insert a new tag and value string, e.g., "<testarea>Swing</testarea>" between existing beginning and ending tags, e.g., tags "<toolereport>" and "</toolereport>" as shown in Figure 8C. Likewise, the tag string "<toolereport></toolereport>" was previously inserted between initial tags "<rootreport>" and "</rootreport>". Hence, the presently disclose real-time reporting system provides a mechanism that allows data to be added in real time to an XML document without affecting its conformance to the XML standard and the predetermined DTD.

Prior approaches to forming an XML document relies on first developing a tree data structure, and then converting the tree to XML. Barker exemplifies and describes this approach in column 11, lines 21-56.

Claim 1 specifically includes "receiving a key parameter" (claim 1 line 3[*]); "generating a first string based on the key parameter" (claim 1 line 5); and "inserting the first string into a test results file storing a second string . . . wherein the first string is inserted between the second beginning tag and a second ending tag" (lines 9-11 of claim 1). Barker does not show a test results file having the second string, nor does Barker teach the operation of inserting the first string based on a received key parameter between the second beginning tag and the second ending tag. Since Barker does not show each and every limitation set forth in the claim 1, Applicants respectfully submit that claim 1 is not anticipated in view of Barker and therefore allowable over Barker. Claims 2-7 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1. Claim 8 is drawn to a computer program that performs the operations similarly described in claim 1. Claim 8 is therefore allowable for the same reasons as claim 1. Claims 9-14 depend from claim 8 and are therefore allowable for the same reasons as claim 8.

2.   The prior art does not show "an application program that includes application testing instructions, . . . an XML reporter object . . . wherein the XML reporter objects receives test result data from the application program, and . . . processes the test result data to generate an XML based string . . . the XML reporter insert[ing] the XML based string into the XML test results file."

Claim 15 sets forth "an application program that includes application testing instructions, the application testing instructions being capable of generating test result data" (claim 15, line 3). The Office Action appears to suggest that the MRI tags described in column 2 lines 10-13 meet the limitation of application testing instructions (Office Action, page 6, lines 11-14). However, the Office Action does not explain how the tags and values are capable of generating test result data or can be fairly described as "an application program" as set forth in claim 1. Applicants therefore respectfully disagree with the conclusion that Barker teaches application testing instructions as set forth in claim 1.

Furthermore, claim 15 sets forth an XML reporter object that receives test result data from the application program (claim 15, lines 5-6). The Office Action identifies column 3 lines 13-19 of Barker wherein Barker discusses a testing phase of a user interface XML document as reading on this limitation (Office Action, page 6, lines 11-14). However, the Office Action does not identify an XML reporter object that receives test result data from the application program.

---

[*] Page line numbers provided in the application as filed are not used. Claim line numbers are counted from the first line of the claim, not the first line of the page. Blank lines are not counted.

Since Barker does not disclose the claim elements described above and others, Applicants respectfully submit that claim 15 is not anticipated by Barker. Furthermore, none of the references of record teach or suggest the features set forth in claim 15. Therefore, Applicants respectfully submit that claim 15 is allowable over the prior art of record. Since claims 16-20 depend from claim 15, these claims are allowable for at least the same reasons as claim 15.

3.   The prior art lacks motivation to combine Barker and Scott

With regard to the rejection under 35 U.S.C. § 103(a), Applicants respectfully submit that the prior art lacked motivation to combine the references as suggested in the Office Action. Barker is directed to a user interface definition using a machine-readable information (MRI) document, which is simply a generic term for an XML document (col. 4, lines 1-9 and lines 41-43). Scott relates to a protocol for peer-to-peer file sharing (see Abstract). The Office Action suggests that both Barker and Scott "are used in a peer-to-peer kind environment" (page 9, line 19). Furthermore, the Office Action suggests that "the hash id and configuration to store information files of Scott would have allowed Barker's method to provide the speed and reliability and better file access" (page 9, lines 19-21). Applicants respectfully disagree on both counts. First, Barker is not directed to a peer-to-peer environment, but, as mentioned above, to a system for developing a user interface using what are essentially XML documents. The term, "peer" is not present in Barker, nor is there any suggestion of using the development system in such an environment. In addition, Scott provides the hash ID for identifying identical files stored in the peer-to-peer network that have different file names or other meta-data description (paragraphs 7-8). There is no prior art suggestion that access speed or reliability is an issue in Barker, such that would drive an individual to seek a solution. Furthermore, Applicants do not understand how the hash ID of Scott could improve the speed or reliability of accessing the XML files of Barker even assuming, *arguendo,* that speed and/or reliability is a problem.

For these reasons, Applicants respectfully submit that the rejections made under 35 U.S.C. § 103(a) lack requisite *prima facie* obviousness, and should therefore be withdrawn. Thus, in addition to the reasons mentioned above, Applicants respectfully submit that claims 6, 7, 13, 14, and 20, which stand rejected under 35 U.S.C. § 103(a), are allowable because the prior art lacks any motivation to combine and/or modify the references as suggested in the Office Action.

Applicants respectfully submit that this application is now in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6933. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP040). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

Leonard Heyman
Reg. No. 40, 418

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Facsimile: (408) 749-6901
Customer Number 32291